

REMARKS

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested.

Claims 18-56 are currently pending. No claims have been amended herewith.

In the outstanding Office Action, Claims 18-33 and 35-56 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0009667 to Horiuchi et al. (hereinafter “Horiuchi”); and Claim 34 was objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant gratefully acknowledges the indication that Claim 34 includes allowable subject matter.

STATEMENT OF SUBSTANCE OF INTERVIEW

Applicant wishes to thank Examiner Song for the interview granted Applicant’s representative on May 17, 2010, at which time the outstanding rejections of the claims were discussed. During the interview, differences between the claimed invention and Horiuchi were discussed, including whether Horiuchi teaches the control unit and the communication unit of Claim 18. The Examiner indicated that the outstanding rejections of the claims would be reconsidered upon formal submission of a response to the outstanding Office Action.

REJECTION UNDER 35 U.S.C. § 102

Previously presented Claim 18 is directed to an information processing apparatus, comprising:

a network communication unit configured to download content data from a server over a communication network;

a memory configured to store the downloaded content data;

a control unit configured

to automatically register, without user operation, identification information of the downloaded content data to a list, and

to control a display unit to display information of the downloaded content data in a different way from information of other content data based on the list; and

a communication unit configured to communicate with an information reproducing apparatus, and to transfer to the information reproducing apparatus the downloaded content data based on the list.

Regarding the rejection of Claim 18 under 35 U.S.C. § 102(e), Horiuchi is directed to a data terminal device and program facilitating distribution of content data that must be deleted when transmitting the obtained content data to another apparatus while protecting copyright thereof, and a recording medium recorded with such a program.¹

The Office Action apparently cites the Horiuchi carrier 20 for teaching the claimed “network communication unit”; the Horiuchi memory 1024 for teaching the claimed “memory”; the Horiuchi controller 1022 for teaching the claimed “control unit”; and the Horiuchi reproduction of content data at the cellular phone 100 for teaching the claimed “communication unit.”²

However, it is respectfully submitted that Horiuchi fails to disclose a control unit configured to control a display unit to display information of the downloaded content data in a different way from information of other content data based on the list. For example, as illustrated in Fig. 9 of the present application, a different folder for each of the “downloaded music” and “all songs” is displayed on a display screen. Rather, as cited in the Office Action, Horiuchi simply discusses that the controller 1022 provides various visual information on a

¹ See Horiuchi, paragraph [0002].

² See Office Action dated March 31, 2010, page 3.

display 1020 according to the executed program **to reproduce a particular content data** **Dc.**³ Horiuchi does not disclose that the various visual information provided on the display 1020 includes *information of the downloaded content data displayed in a different way from information of other content data based on the list.*

Further, it is respectfully submitted that Horiuchi fails to disclose a communication unit configured to communicate with an information reproducing apparatus, and to transfer to the information reproducing apparatus the downloaded content data based on the list. Rather, with respect to Figure 14 cited in the Office Action, Horiuchi discusses that Figure 14 illustrates the operation of reproducing content data Dc at a cellular phone 100.⁴ Horiuchi does not disclose that the cellular phone 100 is configured to communicate with *an information reproducing apparatus, and transfer to the information reproducing apparatus the downloaded content data based on the list.*

Accordingly, Applicant respectfully traverses the rejection of Claim 18 (and all associated dependent claims) as being anticipated by Horiuchi.

Previously presented Claims 38 and 56 recite, *inter alia*,

controlling, by the control unit, a display unit to display information of the downloaded content data in a different way from information of other content data based on the list; and

transferring, by a communication unit configured to communicate with an information reproducing apparatus, to the information reproducing apparatus the downloaded content data based on the list.

As noted above, Horiuchi fails to at least disclose the control unit and the communication unit of Claim 18. Thus, Horiuchi fails to disclose the controlling step and the transferring step of Claims 38 and 56. Accordingly, Applicant respectfully traverses the rejections of Claims 38 and 56 (and all associated dependent claims) as being anticipated by Horiuchi.

³ See Horiuchi, paragraph [0156].

⁴ Id. at paragraph [0153].

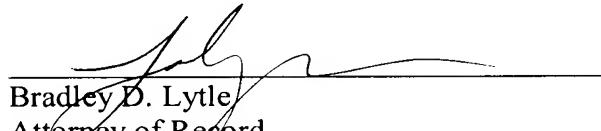
CONCLUSION

Thus, it is respectfully submitted that independent Claims 18, 38, and 56 (and all associated dependent claims) patentably define over Horiuchi.

Consequently, in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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